USSN 10/634,078 PH7477 US NP

REMARKS

Claims 1-9 are pending in this application and are subject to an Election/Restriction Requirement. Claims 8 and 9 are withdrawn as required by the restriction requirement to the non-elected invention.

A restriction requirement was made between Group I (products) and Group II (method of use). Furthermore, the Examiner required election of a single disclosed species.

Group I: Claims 1-7, drawn to compounds of formula (I) or a steroisomer or pharmaceutically acceptable salt thereof and a pharmaceutical composition thereof.

Group II: Claims 8 and 9, drawn to methods for the treatment of disorders.

In response to the election requirement, Applicants elect <u>without traverse</u> to prosecute the invention of Group I compounds, claims 1-7.

Applicants withdraw without prejudice or disclaimer the method of treatment claims of Group II, claims 8 and 9.

The Office Action also requires an election of a single species for prosecution on the merits. In response, Applicants elect the compound of Example 2 (see page 68) of specification.

The Examiner has advised the possibility of rejoinder of the compound claims (Group I) with the method of use claims (Group II) if the compound claims are allowable. Claim 8 is commensurate in scope with the broadest pending product claim (claim 1). Hence, such a rejoinder would be proper and is sought by Applicants.

USSN 10/634,078 PH7477 US NP

In view of the forgoing remarks, favorable action on the elected claims is respectfully solicited.

Respectfully submitted,

Bristol-Myers Squibb Company Patent Department P.O. Box 4000 Princeton, NJ 08543-4000

Aldo A. Algieri, Ph.D. Attorney for Applicant Reg. No. 31,697

Phone: 203-677-6809

Date: Jan. 30, 2008

Aldoll. Algini